

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BUWLUS A. MUHAMMAD,

Plaintiff,

v.

**U.S. MARSHAL SERVICE,
MARSHALL BILL DOE, DEPUTY
WARDEN VENCENT KINNANE,
ATTY. DAVID A. SCHROEDER.,**

Defendants.

07
Civ. No. ~~04~~-27 Erie

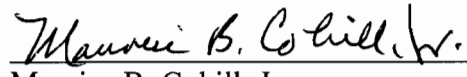
MEMORANDUM ORDER

This matter has been referred to United States Magistrate Judge Susan Paradise Baxter in accordance with the Magistrates Act, 28 U.S.C. §§ 636 (b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on October 15, 2008, recommended that Defendant Vincent Kinnane Motion for Summary Judgment (Doc. 41) be denied. The parties were allowed ten (10) days from the date of service to file any objections. Service was made on all parties. No objections were filed. After de novo review of the petition and documents in the case, together with the report and recommendation, the following order is entered.

AND NOW, this 9th day of February, 2009, it is HEREBY ORDERED,
ADJUDGED AND DECREED that Defendant Vincent Kinnane Motion for Summary
Judgment (Doc. 41) is DENIED.

The report and recommendation of Magistrate Judge Baxter, filed on October 15,
2008 (Doc. 55) is adopted as the Opinion of the Court.


Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Buwlus A. Muhammad, pro se
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counsel of record